

**IN THE FRANKLIN COUNTY MUNICIPAL COURT  
ENVIRONMENTAL DIVISION  
FRANKLIN COUNTY, OHIO**

**STATE EX REL.  
COLUMBUS CITY ATTORNEY  
ZACH KLEIN**  
375 South High Street, 17th Floor  
Columbus, Ohio 43215

Plaintiff,

v.

**DANIEL COLLINS**  
2226 Amherst Avenue  
Columbus, Ohio 43223

and

**UNKNOWN TENANTS OF**  
2226 Amherst Avenue  
Columbus, Ohio 43223

and

**LEATRICE FREEMAN**  
1647 County Road 64  
Moundville, AL 35474

and

**STATE OF OHIO  
DEPARTMENT OF TAXATION**  
30 East Broad Street  
Columbus, Ohio 43219

and

**CHERYL BROOKS SULLIVAN  
FRANKLIN COUNTY TREASURER**  
373 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

and

**REAL PROPERTY AT**

Case No. 2022 EVH 60253

Judge Stephanie Mingo

Parcel No. 010-067567

2226 AMHERST AVENUE  
2226 Amherst Avenue  
Columbus, Ohio 43223

Respondents-Defendants.

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### PRELIMINARY INJUNCTION

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This cause is before the Court pursuant to Relator's Verified Complaint for Preliminary and Permanent Injunctive Relief filed on April 6, 2022. Relator is represented by Assistant City Attorney, Zach Gwin. All other Respondents-Defendants, failed to appear. The Court finds that all necessary parties have been served with summons according to law and are properly before the Court.

For purposes of this Preliminary Injunction, the Court finds that relator has established that Respondents-Defendants are owners and/or persons in charge, care, or control of the Real Property at 2226 Amherst Avenue, Parcel No. 010-067567, situated in the City of Columbus, Franklin County, Ohio ("the Premises"). On information and belief, Relator asserts the following:

1. The Premises is a single family home located on the west side of the City of Columbus in the Hilltop neighborhood.
2. On February 21, 2019 Columbus Division of Police ("CPD") Investigative Tactical ("INTAC") Detective Malone was contacted by a U.S. Drug Enforcement Agency agent who informed Detective Malone that they had received a tip regarding narcotics activity at the Premises.
3. On March 4, 2019, CPD INTAC attempted a controlled purchase of narcotics at the residence but there was no answer at the door.
4. On March 6, 2019, CPD received a report of an accidental overdose at the Premises.

5. On March 11, 2019, CPD received an anonymous narcotics complaint regarding the Premises.
6. Also on March 11, 2019, CPD INTAC Detectives Cormany and Burley, with the assistance of a confidential informant, conducted a controlled purchase of crack cocaine at the Premises.
7. On March 12, 2019, CPD INTAC Detective Cormany, applied for and was granted a search warrant for the Premises.
8. On March 13, 2019, CPD INTAC Detectives George and Vore, proceeded to 2226 Amherst Avenue to make a controlled purchase of narcotics at the Premises. With the assistance of a confidential informant, detectives conducted a controlled purchase of crack cocaine.
9. On March 13<sup>th</sup>, CPD INTAC executed a search warrant at the Premises. No contraband was recovered during the execution of the search warrant, but six individuals were found inside the residence including, three convicted felons, one individual with outstanding warrants, and Respondent-Defendant, Daniel Collins.
10. On March 14, 2022, CPD INTAC detectives were conducting a follow up investigation after receiving information that the structure had been reoccupied. Officers found a rear window that was unlocked and shouted commands for anyone to come out of the residence. Respondent-Defendant Daniel Collins came to the window and exited. Mr. Collins informed officers that he was the primary resident of the house and that he was present during the narcotics raid. Officers placed Mr. Collins under arrest for re-occupancy of a placarded structure. Six other individuals were later found inside the residence.

11. On March 18, 2019, Detective Cormany sent a letter to Leatrice Freeman advising her that a search warrant had been executed at the house due to violations of Ohio Revised Code (“ORC”) 2925 and that she had a duty to abate the nuisance activity at the Premises or could be subject to an abatement action pursuant to ORC 3767. This letter was sent via certified mail and was received and signed for on March 25, 2019.
12. On April 6, 2019, officers were dispatched to the Premises on report of a burglary in progress at a vacant structure. The individual found inside the residence had an active warrant and was one of the same individuals found on scene two months prior.
13. On February 18, 2020, CPD officers were flagged down and informed that people were entering the Premises. Officers investigated and found the windows had been boarded up but the side door to the residence was unsecured. Upon entering the home, officers located three individuals including Respondent-Defendant Daniel Collins.
14. On October 26, 2020, CPD officers conducted a field interview with neighbors who reported that narcotics activity had begun again at this location. Officers conducted surveillance of the Premises and observed a vehicle that is associated with a known drug trafficker and member of the Hilltop Soldiers street gang.
15. On April 6, 2021, CPD responded to the Premises on report of a disturbance.
16. On September 18, 2021, CPD responded to the Premises on report of a fight.
17. On October 4, 2021, CPD Narcotics Bureau received a complaint saying that “Danny” is the resident but there is a dealer that uses the residence. The dealer was reported to carry a Beretta.
18. On November 22, 2021, CPD INTAC attempted a controlled buy at the Premises but there was no answer at the side door. Detectives did observe cameras positioned on the front of the house.

19. On November 24, 2021, CPD received two complaints regarding the property. One of the complaints reported that there was a person with a knife at the Premises. Officers responded and found a suspect creating a disturbance with another female in the front yard of the Premises. The suspect admitted to slashing two passenger tires of a Jeep. The dispute involved an allegation by the suspect that the other female was in a dalliance with the father of her child. The suspect causing the disturbance was found to have active warrants for engaging in corrupt activity/trafficking in drugs.
20. On November 29, 2021, CPD INTAC detectives, with the assistance of a confidential informant, conducted two separate controlled purchases of crack cocaine at the Premises.
21. On December 3, 2021, CPD INTAC detectives, with the assistance of a confidential informant, conducted a controlled purchase of crack cocaine from the residence.
22. On December 6, 2021, CPD INTAC obtained and executed a search warrant at the Premises based on previous controlled purchases of narcotics. In the course of executing the search warrant, detectives apprehended an individual attempting to flee the residence from a first floor rear window. This individual was found in possession of 36.7 grams of crack cocaine along with \$957.00, including buy money from an earlier convert purchase of narcotics. During an interview, the suspect admitted to possessing crack cocaine and alleged it was for personal use. The suspect further stated that it wasn't a big deal since it wasn't fentanyl. Also inside the residence at the time the warrant was executed, Detectives found Daniel Collins and drug paraphernalia.
23. On February 8, 2022, Detective Tabor was conducting surveillance of another drug house when he observed a vehicle leave the targeted address and drive to the Premises. Three individuals exited the residence and got into the vehicle. Officers aired the license

plate for the vehicle, which was found to have been reported stolen. Units conducted a stop of the vehicle and took the occupants into custody. While searching the vehicle, officers recovered 2.8 grams of crack cocaine.

24. On March 17, 2022, CPD INTAC Detectives Malone and Evans, along with a confidential informant, conducted a controlled purchase of methamphetamine from the Premises.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:**

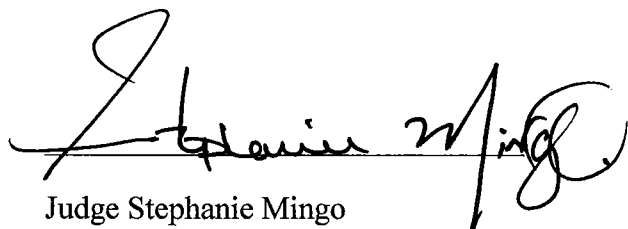
25. Relator has established by clear and convincing evidence that the felony drug activity and illegal/unsafe activity occurring at the Premises continues to cause irreparable harm to the community and that the property is a nuisance per se as defined in R.C. § 3719.10 and 3767.01. It is the further **ORDER** of this Court that all occupants of the Premises be forcibly removed from the Premises forthwith. In executing this order, all barricades throughout the structure may be forcibly removed so as to prevent fortifying portions of the residence. Said occupants may be forcibly detained during the execution of this order. Furthermore, the premises shall be closed, padlocked, boarded or secured as deemed necessary by the Chief of the Columbus Police Department or his or her designee(s) against its use for any purpose until a final decision is rendered on the Complaint for Preliminary and Permanent Injunctive Relief as required by R.C. § 3767.04. This temporary restraining order shall only apply to and prohibit usage of or entrance onto any curtilage or porch areas of 2226 Amherst Avenue.
26. It is further **ORDERED** that this temporary restraining order shall apply to the parcel in its entirety. No person may enter and/or occupy 2226 Amherst Avenue, Columbus, Ohio. Any violation of this order, including mutilation of this order, is contempt of court, punishable as a first degree misdemeanor.

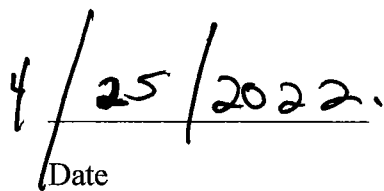
27. It is further **ORDERED** that only necessary personal property located on the premises be removed by the occupants prior to closure and under the direction of the Columbus Division of Police. The Columbus Division of Police is authorized to inventory personal property located on the premises; however, only items related to or in connection with the illegal conduct must be inventoried and accounted for. The Columbus Division of Police may, however, also remove and secure at an off-site location highly mobile and valuable property, including but not limited to such personal property as automobiles, cash, jewelry and electronic equipment which may be at risk of theft during the pendency of this ORDER.

28. This case is continued for further Permanent Injunction Hearing on the merits of Relator's Complaint for Preliminary and Permanent Injunctive Relief on June 23 at 10:00 AM in courtroom 15B, located on the 15<sup>th</sup> floor of 375 S. High Street, Columbus, Ohio 43215. This Order shall remain in effect until that time or as otherwise ordered by this Court.

29. This order shall be served upon the Respondents-Defendants by the Columbus Division of Police or Relator's Counsel; the order may be served by posting a copy of it in a conspicuous place at or upon one or more of the principal doors or entrances of the property. The closing of said Premises with forcible entry and removal of all occupants shall be effectuated by the Columbus Division of Police with the assistance of Columbus Code Enforcement.

**SO ORDERED.**

  
Judge Stephanie Mingo

  
Date